

80

Notice of Allowability

Application No.

10/025,809

Examiner

Michael Pyzocha

Applicant(s)

WATANABE ET AL.

Art Unit

2137

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to the Afer Fianl response filed 09/26/2007.
2. ☒ The allowed claim(s) is/are 1-7,9-13,15-22,24 and 25.
3. ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☒ All b) ☐ Some* c) ☐ None of the:
 1. ☒ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
 5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

- | | |
|--|--|
| <ol style="list-style-type: none"> 1. <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) 2. <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) 3. <input type="checkbox"/> Information Disclosure Statements (PTO/SB/08),
Paper No./Mail Date _____ 4. <input type="checkbox"/> Examiner's Comment Regarding Requirement for Deposit
of Biological Material | <ol style="list-style-type: none"> 5. <input type="checkbox"/> Notice of Informal Patent Application 6. <input type="checkbox"/> Interview Summary (PTO-413),
Paper No./Mail Date _____ 7. <input checked="" type="checkbox"/> Examiner's Amendment/Comment 8. <input type="checkbox"/> Examiner's Statement of Reasons for Allowance 9. <input type="checkbox"/> Other _____ |
|--|--|


EMMANUEL L. MOISE
SUPERVISORY PATENT EXAMINER

Art Unit: 2137

EXAMINER'S AMENDMENT

1. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Joseph Buczynski on 10/11/2007.

The application has been amended as follows:

Art Unit: 2137

Claim 1 (Currently Amended): A recording medium which is provided for recording data and a first password and a second password into it, wherein

the ~~password is any one of a~~ first password ~~that~~ cannot be updated and ~~that~~ is unique for each individual data processing apparatus, and ~~[[a]]~~ the second password ~~that~~ is common for a plurality of data processing apparatuses including said data processing;

the data to be processed in said data processing apparatus are previously recorded onto the recording medium;

said second password is recorded on said recording medium to prevent the data thereon from being illegally copied and distributed from the recording medium before installation of the data into the data processing apparatus, and changed to the first password after the installation; and

said first password prevents the data from being illegally copied and distributed from the recording medium and the data processing apparatus on or after installing the data on the data processing apparatus.

Claim 2 (Previously Presented) A data processing apparatus that executes said data processing by using said data that are

Art Unit: 2137

recorded on said recording medium of claim 1, said data processing apparatus comprising:

a memory device which stores said first password together with said second password;

an extraction device which extracts the password data that are recorded on said recording medium;

a judgment device which determines the contents of said extracted password data; and

an update device which updates said password that are recorded on said recording medium to said first password data when said judged contents are the same as the contents of said second password.

Claim 3 (Previously Presented): The data processing apparatus of claim 2, further comprising:

a recording and reproduction device which performs at least recording data on or reproducing data from said recording medium; and

a prohibiting device which prohibits execution of said recording or said reproduction when said judged contents differ from both the contents of said first password and contents of said second password that are stored in said memory device.

Art Unit: 2137

Claim 4 (Currently Amended): A data processing apparatus with a re-writable recording medium pre-installed into it, said data processing apparatus comprising:

a password memory device which stores a first password and a second password, the first password being ~~that is~~ unique for each data processing apparatus, and ~~that~~ must be used in order to perform recording of data on or reproduction of data from said recording medium, and said first password preventing the data from being illegally copied and distributed from the recording medium and the data processing apparatus on or after installing the data on the data processing apparatus;

a recording and reproduction device which uses said stored first password to perform recording or reproduction;

a judgment device which determines whether or not it is possible to perform recording of data to or reproduction of data from an update recording medium by using a said second password to prevent the data from being illegally copied and distributed from the recording medium and that must be used in order to perform recording of data on or reproduction of data from said update recording medium, said update recording medium other than said recording medium and used when updating the data on said recording medium;

Art Unit: 2137

an update device which updates said data on said recording medium by using the data recorded on said update recording medium that is determined to be proper as enabling either recording or reproduction when said second password is used; and

a change device which changes said second password to said first password after updating said data.

Claim 5 (Previously Presented): The data processing apparatus of claim 4, wherein

said second password is common for a plurality of said update recording media_determined to be proper.

Claim 6 (Original): The data processing apparatus of claim 4, wherein

said second password is stored in said password memory device together with said first password.

Claim 7 (Original): The data processing apparatus of claim 4, wherein

said second password is supplied externally together with said update recording medium.

Claim 8 (Canceled).

Art Unit: 2137

Claim 9 (Currently Amended): A data processing method for a data processing apparatus with a re-writable recording medium pre-installed into it, said data processing method comprising:

a password memory process which stores a first password and a second password, said first password being ~~that is~~ unique for each data processing apparatus, and ~~that~~ must be used in order to perform recording of data on or reproduction of data from said recording medium, and said first password preventing the data from being illegally copied and distributed from the recording medium and the data processing apparatus on or after installing the data on the data processing apparatus;

a recording and reproduction process which uses said first password thus stored to perform recording or reproduction;

a judgment process which determines whether or not it is possible to perform recording of data on or reproduction of data from an update recording medium by using a said second password to prevent the data from being illegally copied and distributed from the recording medium and that must be used in order to perform recording of data on or reproduction of data from said update recording medium, said update recording medium being other than the recording medium and used when updating the data on said recording medium;

Art Unit: 2137

an update process which updates said data on said recording medium by using the data recorded on said update recording medium that is determined to proper as enabling either recording or reproduction when said second password is used; and

a change process which changes said second password to said first password after updating said data.

Claim 10 (Previously Presented): The data processing method of claim 9, wherein said second password is common for a plurality of said update recording media determined to be proper.

Claim 11 (Currently Amended): A data recording medium on which a data processing program is recorded so as to be readable through a computer which is contained in a data processing apparatus with a re-writable recording medium pre-installed into it, said data processing program causing said computer to function as:

a password memory device which stores a first password and a second password, said first password being that is unique for each data processing apparatus and ~~that~~ must be used in order to perform recording of data on or reproduction of data from said recording medium, and said first password preventing the data

Art Unit: 2137

from being illegally copied and distributed from the recording medium and the data processing apparatus on or after installing the data on the data processing apparatus;

a recording and reproduction device which uses said stored first password to perform recording or reproduction;

a judgment device which determines whether or not it is possible to perform recording of data on or reproduction of data from an update recording medium by using a said second password to prevent the data from being illegally copied and distributed from the recording medium and that must be used in order to perform recording of data on or reproduction of data from said update recording medium, said update recording medium being other than the recording medium and used when updating the data on said recording medium;

an update device which updates said data on said recording medium by using the data recorded on said update recording medium that is determined to be proper as enabling either recording or reproduction when said second password is used; and

a change device which changes said second password to said first password after updating said data.

Art Unit: 2137

Claim 12 (Previously Presented): The data recording medium of claim 11 on which a data processing program is recorded so as to be readable through a computer, wherein

said second password is common for a plurality of said update recording media_determined to be proper.

Claim 13 (Currently Amended): A data processing apparatus having a re-writable recording medium and a controlling device, wherein

the re-writable recording medium comprises first data; second data which is used for updating the first data; a first password which is used for access to the first data_and prevents the first data from being illegally copied and distributed from the recording medium and the data processing apparatus on or after installing the first data on the data processing apparatus; and a second password which is to prevent the first data from being illegally copied and distributed from the recording medium and is used for access to the second data; and

the controlling device clears restriction of access to the first data with use of the first password;

the controlling device determines whether or not the second data is original with use of the second password; and

Art Unit: 2137

the controlling device changes the first data to the second data when the second data is determined to be original;

the controlling device changes the second password to the first password after the update of the first data; and

the controlling device makes access to the first data and the second data with the use of the first password.

Claim 14 (Canceled).

Claim 15 (Previously Presented): The data processing apparatus of claim 13, wherein

the first data is stored in a first recording medium;
the second data is stored in a second recording medium;
the first password is used for access to the first recording medium; and

the second password is used for access to the second recording medium.

Claim 16 (Original): The data processing apparatus of claim 13, wherein

the first password is unique for each individual data processing apparatus; and

Art Unit: 2137

the second password is common for a plurality of update recording media.

Claim 17 (Previously Presented): The data processing apparatus of claim 16, further comprising:

a password memory device which stores both the first password and the second password.

Claim 18 (Previously Presented): The data processing apparatus of claim 13, wherein

both the first data and the second data are map data; and the second data is newer than the first data.

Claim 19 (Currently Amended): A data processing method for a data processing apparatus having a re-writable recording medium and a controlling device, said data processing method comprising:

a clear process which clears restriction of access to first data with use of a first password that prevents the first data from being illegally copied and distributed from the recording medium and the data processing apparatus on or after installing the first data on the data processing apparatus;

a determination process which determines whether second data is original with use of a second password that is used to

Art Unit: 2137

prevent the first data from being illegally copied and distributed from the recording medium; ~~and~~

an update process which changes the first data to the second data when the second data is determined to be original; and

a password memory process which stores both the first password and the second password.

Claim 20 (Original): The data processing method of claim 19, wherein

the second password is changed to the first password after the update of the first data.

Claim 21 (Previously Presented): The data processing method of claim 19, wherein

the first data is stored in a first recording medium;
the second data is stored in a second recording medium;
the first password is used for access to the first recording medium; and

the second password is used for access to the second recording medium.

Claim 22 (Original): The data processing method of claim 19, wherein

Art Unit: 2137

the first password is unique for each individual data processing apparatus; and

the second password is common for a plurality of update recording media.

Claim 23 (Canceled).

Claim 24 (Previously Presented): The data processing method of claim 19, wherein

both the first data and the second data are map data; and the second data is newer than the first data.

Claim 25 (Currently Amended): A recording medium having information, to be processed with an information processing apparatus, recorded onto it, the recording medium being separate from the information processing apparatus, including:

a first password and a second password stored thereon;

[[a]] the second password being used in common with a plurality of information processing apparatuses, the second password being previously recorded onto the recording medium and preventing data from being illegally copied and distributed from the recording medium and the data processing apparatus on or

Art Unit: 2137

after installing the data on the data processing apparatus,
wherein

the second password can be changed to ~~another~~ the
first password inherent in one of the information processing
apparatuses on or after a contents of the recording medium is
processed with one of the information processing apparatuses,
said ~~another~~ first password being used to prevent the data
thereon from being illegally copied and distributed from the
recording medium.

Art Unit: 2137

2. The following is an examiner's statement of reasons for allowance: The prior art teaches the changing of access controlling information (e.g. a key or password) on a computer readable medium, but fails to teach storing two different passwords and changing one password to the other (see Chou et al. US 5826011), thereby storing two copies of the same password on the computer readable medium.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Michael Pyzocha whose telephone number is (571) 272-3875. The examiner can normally be reached on 7:00am - 4:30pm first Fridays of the bi-week off.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Emmanuel Moise can be reached on (571) 272-3865. The fax phone number for the

Art Unit: 2137

organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

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